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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,752	05/24/2001	Robert S. Sielken	RSW920010095US1	1924
7590	04/19/2005		EXAMINER	
Jeanine S. Ray-Yarletts IBM Corporation T81/503 PO Box 12195 Research Triangle Park, NC 27709			NGUYEN, NHON D	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/864,752	SIELKEN, ROBERT S.	
	Examiner	Art Unit	
	Nhon (Gary) D Nguyen	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 12, 13, 17, 19-26, 30, 31, 35-42, 46 and 47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12, 13, 17, 19-26, 30, 31, 35-42, 46 and 47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This communication is responsive to amendment, filed 12/16/2004.
2. Claims 1-8, 12, 13, 17, 19-26, 30, 31, 35-42, 46 and 47 are pending in this application.

Claims 1, 17, 19 and 35 are independent claims. In this amendment, claims 9-11, 14-16, 18, 27-29, 32-34, 43-45 and 48-50 are canceled, claims 1-5, 8, 12, 13, 17, 19-23, 26, 30, 31, 35-39, 42 and 46-47 are amended, and no claim is added. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8, 12, 13, 17, 19-26, 30, 31, 35-42, 46 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Examiner Automated Search Tool ("EAST").

As per claims 1, 17, 19 and 35 EAST teaches a computer implemented method and corresponding system for ordering elements included within a list comprising the steps/means:

presenting the set of elements in a list format in a first order in a graphical user (set of elements in the bottom pan of FIGURE 2); receiving a first user input selecting a set of the element from the list (selecting items 2 and 5 of FIGURE 3 or selecting items 3, 4 and 5 of FIGURE 6, for example);

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responsive to detecting the first user input, monitoring for a second user input, indicating a movement of the set of elements within the list; and responsive to detecting the second user input (double-clicking on the column "1"), automatically reordering the elements in the list including:

when the set of element are contiguous elements, automatically reordering the elements in the list by moving, within the list, the set of elements together as one unit as if said set were a single list element to create a modified list of elements in a second order, said set of elements appearing to a user as having been moved simultaneously (e.g. FIGURES 7 and 8); and

when the set of elements are non-contiguous elements, automatically reordering the elements in the list by moving, within the list, the set of elements as one unit, said set of elements appearing to a user as having been moved simultaneously (e.g. FIGURES 4 and 5).

As per claims 2, 20 and 36, EAST teaches the second user input causes the set of elements to be moved in a first direction within the list by a selected number of locations (e.g. FIGURES 4 and 7).

As per claims 3, 21, and 37, EAST teaches the second user input causes the set of elements to be moved in a second direction within the list by a selected number of locations (e.g. FIGURES 5 and 8).

As per claims 4, 22 and 38, EAST teaches the second user input causes the set of elements to be moved to a first end of the list (e.g. FIGURES 4 and 7).

As per claims 5, 23 and 39, EAST teaches the second user input causes the set of elements be moved to a second end of the list (e.g. FIGURES 5 and 8).

As per claims 6, 7, 13, 24, 25, 31, 40, 41, and 47, EAST teaches the second user input received by a selection of a control associated with the set of elements, wherein the control is a navigation button ("1" column button).

As per claims 8, 26, and 42, EAST teaches the second user input includes an identification of a direction in which the set of elements are to be moved (e.g. the direction arrows within the "1" column of FIGURES 4 and 5 indicating the direction in which the set of elements are to be moved) and wherein the automatically reordering step comprises:

determining whether the set of elements can be moved in the direction identified by the second user input; and responsive to a determination that the set of elements can be moved in the direction, moving the set of elements in the direction (e.g. FIGURES 3-5).

As per claims 12, 30, and 46, EAST teaches displaying the list in a window (e.g. FIGURE 3).

Response to Arguments

5. Applicant's arguments with respect to claims 1-8, 12, 13, 17, 19-26, 30, 31, 35-42, 46 and 47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571)272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
April 14, 2005


BA HUYNH
PRIMARY EXAMINER